

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**CAROLYN DECHAINED,**

**Plaintiff,**

**v.**

**No. 1:23-cv-1134 KRS/LF**

**LIBERTY MUTUAL INSURANCE COMPANY,**

**Defendant.**

**TRIAL SCHEDULING ORDER**

**THIS MATTER** comes before the Court following a telephonic trial scheduling conference held on August 20, 2025. The Court hereby sets the following dates and deadlines:

A Telephonic **Final Pretrial Conference** will be held on **April 8, 2026 at 9:00 am**. The parties are directed to call Judge Sweazea's WebEx teleconference line at **(855) 244-8681**, and enter Meeting Number **2300 989 9447#**, to be connected to the proceedings. All attorneys participating in the trial must be present for the Final Pretrial Conference. The parties may, but need not, join the proceedings.

A five-day **Jury Trial** will begin on **May 18, 2026 at 9:00 a.m.**, in the Picacho Courtroom of the United States Courthouse in Las Cruces. Counsel are directed to submit a proposed consolidated Pretrial Order as follows:

Plaintiffs to Defendant: **March 13, 2026**

Defendant to the Court: **March 27, 2026.**

Counsel are further directed that the Pretrial Order shall provide that no witness, except rebuttal witnesses whose testimony cannot be anticipated, will be permitted to testify unless the name of the witness is furnished to the Court and opposing counsel no later than thirty (30) days prior to the time set for trial. Any exceptions thereto must be upon order of the Court for good cause shown.

**Motions in Limine:** All motions in limine<sup>1</sup> are due by **March 13, 2026**. Any responses or objections are due by **March 20, 2026**. Replies are due by **March 25, 2026**.

**Witness Lists:** The parties shall file their witness lists by **February 13, 2026**. The lists must disclose witnesses that the parties “will call” as well as witnesses that they “may call” at trial. Any objections to a witness named by the opposing party must be filed by **February 27, 2026**.

**Designations and Counter-Designations of Deposition Testimony:** The parties shall exchange designations of deposition testimony they intend to use at trial by **February 13, 2026**. Counter-designations shall be exchanged by **February 27, 2026**. The designations and counter-designations must state the pages and lines of the deposition to be used. The parties shall submit their designations and counter-designations to the Court by **March 6, 2026 as follows:** Counsel must **jointly submit one physical copy** of each deposition to my chambers by this due date and must highlight the parts of the depositions that are to be used. Plaintiff’s designations are to be in yellow marker and Defendant’s designations are to be in blue marker. These requirements do not apply to cross-examination or rebuttal of a witness presented in person at trial. Any objections to testimony designated by the opposing party and/or any counter-designations must be filed by **March 13, 2026**. If the parties wish to make further designations in light of the designations and counter-designations, leave for additional designations must be requested from the Court **at the Final Pretrial Conference**.

**Exhibits:** The parties shall exchange lists of proposed exhibits by **February 13, 2026**. The parties shall **jointly** file one list of stipulated exhibits and shall separately file lists of contested exhibits no later than **March 27, 2026**. They shall also **jointly** submit physical copies of marked

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<sup>1</sup> Motions challenging the admissibility of expert testimony under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) are not motions in limine. *Daubert* motions shall be filed no later than the dispositive motions deadline.

exhibits to my chambers by **April 8, 2026**. The exhibits shall be divided into two notebooks. The first notebook shall include any and all exhibits that the parties stipulate to be admissible. These exhibits shall be labeled consecutively. The second notebook shall include any and all contested exhibits. These exhibits shall be labeled consecutively beginning with the next sequential number after the final stipulated exhibit designation. For instance, if there are fifty (50) stipulated exhibits, twenty (20) contested plaintiff's exhibits, and twenty (20) contested defendant's exhibits, the first notebook shall contain stipulated exhibits numbered 1 to 50. The second notebook shall contain plaintiff's contested exhibits numbered 51 through 70 and defendant's contested exhibits numbered 71 through 90.

**Statement of the Case:** The parties shall meet and confer about the statement of the case no later than **February 27, 2026**. No later than **March 20, 2026**, the parties shall file a consolidated clear, concise statement of the case to be read by the Court to the jury at the beginning of trial. If Counsel are unable to agree to a consolidated statement of the case, they shall file separate statements of the case.

**Jury Instructions:** The parties shall meet and confer about proposed jury instructions no later than **February 27, 2026**. Plaintiff is responsible for filing a set of requested jury instructions to which all of the parties agree. Requested instructions upon which the parties cannot agree must be filed separately by the requesting party. There shall be only one instruction per page and each instruction shall include a citation to supporting authority at the bottom of the page. All such filings are due **March 20, 2026**. On that same day, the parties shall also email a copy of the instructions in Word format, without citations, to [sweazeaproposedtext@nmd.uscourts.gov](mailto:sweazeaproposedtext@nmd.uscourts.gov). A party must file written objections to an opposing party's requested instructions no later than **March 31, 2026**.

**SUMMARY**

<b>February 13, 2026</b>	<b>File Witness Lists</b>
<b>February 13, 2026</b>	<b>Exchange Exhibit Lists and Deposition Designations</b>
<b>February 27, 2026</b>	<b>File Objections to Opponent's Witness List</b>
<b>February 27, 2026</b>	<b>Exchange Counter Deposition Designations</b>
<b>February 27, 2026</b>	<b>Meet and Confer re Proposed Jury Instructions and Statement of the Case</b>
<b>March 6, 2026</b>	<b>Submit Deposition Designations and Counter-Designations to Court</b>
<b>March 13, 2026</b>	<b>File Objections to Deposition Designations and Counter-Designations</b>
<b>March 13, 2026</b>	<b>File Motions in Limine</b>
<b>March 13, 2026</b>	<b>Pretrial Order: Plaintiff to Defendant</b>
<b>March 20, 2026</b>	<b>File Statement of Case and Jury Instructions (plus Email Word version of Jury Instructions to Chambers)</b>
<b>March 20, 2026</b>	<b>File Responses to Opponent's Motions in Limine</b>
<b>March 25, 2026</b>	<b>File Replies in Support of Motions in Limine</b>
<b>March 27, 2026</b>	<b>File Pretrial Order (Defendant)</b>
<b>March 27, 2026</b>	<b>Jointly File Stipulated Exhibit List and Separately File Contested Exhibit List</b>
<b>March 31, 2026</b>	<b>File Objections to Jury Instructions</b>
<b>April 8, 2026</b>	<b>Submit Exhibit Notebooks to Chambers</b>
<b>April 8, 2026 at 9:00 am.</b>	<b>Final Pretrial Conference</b>
<b>May 18-22, 2026</b>	<b>Jury Trial</b>

**IT IS SO ORDERED this 20th day of August, 2025.**

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive style with a horizontal line underneath it.

KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE